

Region 1

Hot Topics:

Housatonic River Cleanup: Remand and Mediation Options

This week, Region 1 suggested in a letter to GE that the company may want to offer a more detailed proposal on how a mediated approach could accelerate the River cleanup in a manner acceptable to all parties. The Region is simultaneously addressing issues remanded by the Environmental Appeals Board (EAB) in a 1/26/18 opinion on the Region's permit for the work. Region 1 approached the EAB regarding using its ADR program as the forum for future mediation. Following conversation with the parties, it was determined this week that the EAB approach was not best suited to resolving the cleanup issues at this time.

Region 1 EJ Council Meets, Discusses Dravis Memorandum

On March 6th, RA Dunn participated in a Regional EJ Council meeting with representatives across all Region 1 offices and discussed the very well received Dravis Memo of 2/23/18 and how it will guide regional EJ priorities as well future Regional EJ work.

RCRA Enforcement Managers Meet at Region 1

From March 6-8 the Region hosted a national RCRA Enforcement Managers meeting. Managers and senior staff from all regions and HQ in attendance discussed the e-manifest rule, cross-regional and state coordination, inspection and targeting efforts, and the RCRA-Air national enforcement initiative.

Region 1 Discusses Regional Priorities with Region's USACE Commander

This week, RA Dunn held the first of regular calls with US Army Corps of Engineers regional commander Colonel Conde. The Region has a solid history of a cooperative and productive relationship with the Corps working together on dredge material management, CWA 404, NEPA, and key Superfund activities.

RA Dunn Visits Centredale Manor Superfund Site, RI

This week, RA Dunn visited the Centredale Manor Superfund Site located in North Providence, RI. She met with the Mayors of the affected towns, North Providence and Johnston, RI. The Site was added to the NPL in 2000 after dioxin was discovered in fish. EPA and RI DEM are currently in negotiations with Black & Decker in effort to move in a positive direction toward settlement.

Upcoming Major Decisions and Events:

Expansion of MA Bay Dredge Material Disposal Site Protects from Radioactivity

Region 1 soon will issue a final rule temporarily expanding the boundaries of the Massachusetts Bay Disposal Site (MBDS) to include the Industrial Waste Site (IWS) area, allowing placement of 11 million cubic yards of clean sediment over a radioactive barrel field. The clean sediment will come from a Boston Harbor deepening dredging project beginning this spring. EPA has support from state and federal agencies, as well as most commenters.

Superfund Site Deletion - Hathaway & Patterson, MA

On March 15th, EPA will conduct an event with the Mayor and Town Manager of Foxboro and Mansfield to celebrate the deletion of the Hathaway and Patterson Site. RA Dunn and MassDEP Commissioner Marty Suuberg will be attending the event.

Region 2

Hot Topics:

NY Water Quality Criteria Litigation Update

We are working in the spirit of collaboration with our partners in the NY State Department of Environmental Conservation to take an issue that has been playing out in the court and turn it into a cooperative effort, which our state partners very much appreciate. In *Riverkeeper et al. vs. EPA*, the plaintiff demanded that EPA disapprove certain of NYSDEC's water quality criteria. EPA had sought a stay of the litigation, which the court denied. Per mutual agreement with NYSDEC, on 3/7/18 Region 2 wrote to NYSDEC disapproving the State's 2015 revised criteria for Class I and Class SD saline surface waters. The State is now taking action to update and resubmit the criteria. In the meantime, on 3/6/18 NYSDEC and the NY City Department of Environmental Protection each filed a Motion to Intervene as a Defendant in the litigation. Both agencies argued they have a strong interest in the matter, and they wish to be able to inform the court of their views before a ruling is issued.

Hurricane Irma/Maria

FEMA's Mission Assignments (MAs) to EPA (and other agencies) for response work in the U.S. Virgin Islands, with 100% federal funding, expire on 3/14/18. EPA has been working with FEMA to seek extension of the MAs so that we can complete our critical tasks of hazardous waste transfer and disposal; and air monitoring of debris grinding operations. On 3/8/18 Regional Administrator Pete Lopez wrote to the FEMA Regional Administrator to urge extension of the MAs.

In addition, we are similarly reaching out to FEMA to request that our MAs in Puerto Rico for the PRASA and non-PRASA drinking water and wastewater systems also be extended unless such time as utility power is restored to these facilities.

Long Island Sound Nitrogen Strategy Document

As requested by the NY State Department of Environmental Conservation, EPA has agreed to postpone the public release of a key Long Island Sound Strategy technical document so to better harmonize it with the work that NYSDEC is conducting through its Long Island Nitrogen Action Plan. In the meantime, EPA will share a revised draft document with a technical stakeholder review group, which includes New York State, for more input. EPA will meet with the group on 3/20/17 for further discussions. We will also be discussing this matter with Region 1.

Upcoming Major Decisions and Events:

- March 13: RA Pete Lopez is speaking at the Long Island Association Special Executive Breakfast in Melville, New York. The event is open to the media.
- March 14: Region 2 will brief staff from Senator Booker's office to update him about various Superfund sites in New Jersey.
- March 22: RA Lopez is giving opening remarks at the Long Island Sound Study Citizen Advisory Committee.

Region 3

Hot Topics:

DC Water to Open 121-Million-Gallon Anacostia River Tunnel

DC Water notified EPA it plans to discontinue use of the combined sewer overflow (CSO) structures in anticipation of opening the Anacostia River Tunnel on or before March 23, 2018. The tunnel is an EPA Consent Decree requirement that cost DC Water \$1.24 billion. This segment of the tunnel will run from RFK Stadium to the Blue Plains Advanced Wastewater Treatment Plant and will protect the public from chronic sewer flooding that has plagued many areas of the District since the early 1900's. The tunnel is part of the Clean Rivers Project that will install "diversion facilities" at strategic locations to capture untreated sewage and rainwater and divert it to a 157-million-gallon tunnel system where it will be stored and conveyed to Blue Plains. Ultimately, the Clean Rivers Project will reduce CSOs annually by 96 percent throughout the system and by 98 percent for the Anacostia River.

Principals Staff Committee Meeting

On Friday, March 2, Regional Administrator Cosmo Servidio participated in the CBP Principals Staff Committee (PSC) at the Maryland Department of Environment (Baltimore) to follow up on several issues discussed during the PSC's retreat, held December 19-20, 2017. The PSC was asked to make the following decisions: approve a revised Midpoint Assessment schedule; approve the Bay's assimilative capacity loadings; agree on the process for providing additional pounds of nitrogen and phosphorus to West Virginia and New York, as well as the resultant changes to the draft Phase III planning targets; approve a Conowingo Watershed Implementation Plan (WIP) Framework; and adopt the 2025 climate change nutrient and sediment loads. CBP staff are drafting the meeting actions and decisions for review and approval. The PSC also agreed to reconvene a planning committee for the 2018 Executive Council Meeting.

LCD Completes FY 2018 Mid-Year Evaluation of DDA's FIFRA Programs

On February 20-22, 2018, LCD met with Delaware Department of Agriculture (DDA), in Dover, DE to conduct the FY 2018 Mid-Year Evaluation of their Federal Insecticide, Fungicide & Rodenticide Act (FIFRA) program and enforcement activities under their State Cooperative Agreement. Included in this evaluation was a non-agricultural pesticide use oversight inspection by a lawn care company and an exit call with EPA management. During this performance period, DDA completed 143 FIFRA related inspections which is well over 50% of their 204 projected inspections. DDA collected 37 physical samples and took 18 pesticide enforcement actions. They also effectively met their program commitments in the area agricultural worker protection, and they are to be commended for their outreach and compliance assistance for the new Worker Protection Standards.

EPA Exhibit at Philadelphia Flower Show Highlights Healthy Headwaters

This year's Philadelphia Flower Show showcases the *Wonders of Water* and EPA's exhibit is no exception. By demonstrating the connection between headwater streams and wetlands, and the vital role they play in the overall health of downstream waters, EPA's exhibit highlights the connection between healthy watersheds and healthy drinking water sources. An article appeared in [Pennsylvania Environment Digest](#).

Upcoming Major Decisions and Events:

Shaffer Equipment Company, Minden, WV

Region 3 will be hosting public meetings on the evening of March 16 and morning of March 17 to share the latest round of PCB sampling results taken in Minden and explain the site assessment process. The removal program had taken response actions in the actions in 2002 to address PCB contamination. This included soil removal and construction of a cap over an area of contaminated soil. Recent sampling was conducted to address concerns raised by residents that the area surrounding the site may still contain high levels of PCBs. Residents whose properties were sampled were notified of their results today. Additionally, the public meetings were

advertised in two local newspapers and a press release issued today. Fact sheets have been developed and will be distributed to the community. The Region has been coordinating with the WV Governor's office, WVDEP and the WV Bureau of public health in preparation of the meetings. In addition to EPA, representatives from the state of WV and ATSDR will be available at the meetings to answer questions about sampling results and health concerns.

Regional Administrator Ag Roundtable on Lancaster County Farm

On March 12, Regional Administrator Cosmo Servidio will host an Agriculture Roundtable with Pennsylvania farmers at a No Till Alliance Town Hall Meeting on Jim Hershey's farm in Elizabethtown, Pennsylvania. During this hour-long dialogue, Pennsylvania farmers will share with EPA what's on their minds, ask questions about EPA's programs and policies, and discuss the successes and challenges of producing food for the community and achieving clean local waters. This roundtable is one in a series of discussions hosted by EPA to discuss the Agency's priorities, further open the lines of communication, and find ways to work effectively with the agricultural community.

Regional Administrator Meeting with PA Farm Bureau Leadership

On March 12, Regional Administrator Cosmo Servidio will meet with Pennsylvania Farm Bureau president, vice president, chief administrative officer, and government affairs director in Camp Hill, PA, to discuss EPA's priorities related to agriculture, further open the lines of communication, and discuss ways to effectively work together and with the agricultural community to make progress in the Chesapeake Bay restoration.

Regional Administrator Cosmo Servidio has the following activities scheduled:

- March 15, 2018 – Partnership Meeting with West Virginia Department of Environmental Protection and West Virginia Corps of Engineers, Charleston, WV.
- March 15, 2018 – Visiting the Region 3 Wheeling Office Satellite Site for an All Hands Meeting with the Staff and tour of the Facility, Wheeling, WV.

Region 4

Hot Topics:

Resignation of DeKalb County, GA Watershed Director

Key Message: On March 7, 2018, the Watershed Director for DeKalb County, GA submitted his resignation to the County's Chief Deputy Operating Officer citing several reasons including, pressure to make decisions to violate federal and state environmental laws. He alleges that the County's Chief Executive Officer and Chief Deputy Operating Officer retaliated against him due to his refusal to violate the law, in particular conditions of the county's Consent Decree. DeKalb County is currently under a Consent Decree with EPA and we are working with the Georgia Environmental Protection Division to determine the validity of the accusations. In the past few months, the Region has had difficulty gaining reasonable responses to inquiries pertaining to the County's use of a Capacity Assurance Program, as well as the reliability and justification of new sewer connections. Due to the resignation, the Region has received media inquiries and is in the process of responding.

Mississippi Phosphates Follow-Up (Pascagoula, MS)

Key Message: On March 6, 2018, Regional Administrator Trey Glenn spoke with Governor Phil Bryant's Chief of Staff to provide an update of EPA's activities at the Mississippi Phosphates Superfund site. The information was well received and the Governor's office will likely have a representative at the facility site tour on March 13th.

Upcoming Major Decisions and Events:

Decisions

None

Events

March 13th – Regional Administrator Trey Glenn will hold a series of meetings with the Mayors of Pascagoula, MS and Gautier, MS. The meetings will also include a site tour of the facility and an update of the proposed three phase design for closure. The Region anticipates staff from Senators Cochran and Wicker's offices, Congressman Palazzo's office, and Governor Bryant's office. Closed to the Press. Pascagoula, MS.

March 14th – 15th – Regional Administrator Trey Glenn will meet with the Environmental Manager for the U.S. Department of Energy's Oak Ridge Reservation to discuss current site status, communication between the sister agencies, and to tour the facility. Closed to the Press. Oak Ridge, TN.

Region 5

Hot Topics:

DOJ Expected to Lodge U.S. Steel Consent Decree Next Week

Key Message: The Consent Decree (CD) resolves an April 1, 2017, chromium release from the Gary Works facility to Lake Michigan.

Both U.S. Steel and Indiana Department of Environmental Quality have signed off on the agreement, which is currently working its way through EPA concurrence. The CD includes a penalty payment of over \$1.2 million. It is anticipated that the announcement of the CD will generate significant press attention.

Ohio Department of Agriculture Has Requested EPA's Assistance in Pesticide Misuse Case

Key Message: The February 20, 2018, request involves the misapplication of several pesticides at an apartment in Sandusky, Ohio.

ODA has the lead for this misuse investigation. Region 5's pesticide section is working with headquarters to determine whether cleaning is necessary, and to what degree. Region 5 is also coordinating with the Agency for Toxic Substances and Disease Registry. Other agencies involved include the Ohio Department of Health and the two county health departments that cover the Sandusky, Ohio area. The applicator may have made similar applications at roughly 180 other locations over the past year and ODA is looking into those.

Upcoming Major Decisions and Events:

Congressman Bill Foster to Tour Chicago Regional Laboratory

Key Message: On March 27, Rep. Foster (IL-D) will be joined by Region 5 Assistant Regional Administrator Cheryl Newton and the Chicago Regional Laboratory director.

The Congressman, who is a PhD physicist, requested the tour and is interested in the research and analysis being done in the Chicago lab.

Region 6

Hot Topics:

Texas Regional Haze Appeal and Petition for Reconsideration, Texas

On December 15, 2017, environmental groups filed both a petition for review with the 5th Circuit Court of Appeals and a petition for reconsideration with EPA, challenging EPA's October 17, 2017 final action finalizing a plan to address best available retrofit technology (BART) for regional haze and interstate visibility transport in Texas. On March 6, 2018, the 5th Circuit Court of Appeals granted the parties' joint motion for abeyance "pending the resolution of a petition for reconsideration and the completion of any reconsideration process." EPA must file a status report every 90 days.

Louisiana Offshore Oil Port (LOOP), LLC, Deepwater Port Complex, Louisiana

LOOP most recently has taken the position that it does not require any federal permits (air or water) for its operations. LOOP, regulated by state, EPA and Maritime Administration, is looking to add export capability to its operations and may need new air permit and needs a renewal of their current water permit. The water discharge permit is issued jointly by the state and EPA, and the existing permit expired years ago. We have requested an informal meeting with company officials to hear out their concerns, and are coordinating closely with LDEQ Secretary Dr. Brown.

State Legislation to Clarify Arkansas General Permit Procedures

Arkansas representative Vaught has proposed legislation to clarify ADEQ's procedures for transferring from a general permit to individual permit. The proposed state legislation is in response to ADEQ's recent denial of an individual permit for a hog farm in the Buffalo River, a designated scenic river, watershed. ADEQ, Arkansas Agriculture Bureau and Senator Cotton have asked for EPA's technical review of the proposed legislation prior to a vote in special session next week.

Arkansas Regional Haze

Region 6 approved the Arkansas Regional Haze SIP revision for nitrogen oxides to address regional haze and withdrew the FIP source-specific emission limits for nitrogen oxides that currently apply to the same nine electric generating units. The FIP has a nitrogen oxide compliance date of April 27, 2018. We are working with the state to approve another SIP and withdraw another portion of the regional haze FIP. There may be a third SIP to specifically address emissions from Domtar which could result in the complete withdrawal of the FIP. At Domtar's request, we are setting up a meeting discuss this further.

Illinois River Watershed modeling, Oklahoma and Arkansas

As part of our work to help the states address pollution in the Illinois River watershed, EPA funded the development of two models and has worked with a technical workgroup to review them. Both states met to review the two draft models on Tuesday, March 6 and we are progressing with the public release of the watershed and Lake Tenkiller models. There continues to be some disagreement about steps after the release of the models. The principals will discuss at the upcoming ECOS meeting.

Georgia-Pacific, LLC. Paper Operations, Crossett, Arkansas

The Ouachita Riverkeeper and Louisiana Environmental Action Network filed a Title VI Civil Rights complaint against ADEQ for issuing a permit for the Georgia Pacific plant and EPA accepted the complaint for investigation. EPA is very close to having a draft resolution and the region is coordinating with HQ Civil Rights office on how best to share it with the state.

Upcoming Major Decisions and Events:

Decisions

NSPS/NESHAP Delegation, New Mexico

EPA intends to sign a direct final action to approve the request by NMED to update its delegation of certain New Source Performance Standards and National Emissions Standards for Hazardous Air Pollutants with the exception of sources located in Indian Country.

Sulfur Dioxide SIP, St Bernard Parish, Louisiana

EPA intends to propose approval of the attainment demonstration state implementation plan for sulfur dioxide by March 31 for a 30-day comment period; and complete final action by July.

Reid Vapor Pressure fuel blending, Baton Rouge, Louisiana

Region 6 is proceeding to process a proposed approval for the Louisiana's RVP SIP revision. The proposed approval is scheduled for March 28. The five parish Baton Rouge area relies on low RVP gasoline in its current maintenance plan. LDEQ submitted the 2008 8-hour Ozone NAAQS RVP relaxation request and maintenance plan revision for the Baton Rouge Nonattainment Area on January 31, 2018.

ExxonMobil, Baytown, Texas

The Regional Administrator will sign by March 22, 2018, a Federal Register Notice announcing the Administrator's March 1, 2018, decision to deny the Title V petition claims at the Exxon Mobil Baytown Olefins Texas facility.

Events

3/15/18 Annual Solid Waste Association Conference, Lafayette, Louisiana

3/15/18 LSU Ag Center Rice Research Center Tour, Lafayette, Louisiana

3/17/18 4th Annual "Chasing Leaks" 5K Run, Ft Worth, Texas

Region 7

Hot Topics:

West Lake Landfill (Bridgeton, MO)

Key Message: Public meeting held on March 6, 2018, and continuation of public comment period.

- On Tuesday, March 6 2018, the region held a public meeting to present the preferred alternative in the West Lake Landfill Proposed Plan and to accept public comments. The meeting was well attended with over 600 participants. Of those, 81 signed up to provide oral statements for the record.
- Prior to the public meeting, EPA senior leaders briefed the local congressional delegation who complimented the transparency the agency is exhibiting in the decision-making process for the site.
- On March 7, 2018, EPA technical staff performed a site recon visit to assess current site conditions and surface drainage pathways. EPA staff also met with a private citizen to discuss sampling of a private well located at her residence about a mile north of the site. The private well is not a drinking water source but it is used for other domestic purposes. The region anticipates sampling the well in the near future.
- Looking ahead to next week, the region will finalize meeting summaries from recent Technical Community Advisory Group and Potentially Responsible Parties meetings for posting to the website. The region will continue to process public comments on the Proposed Plan as they are received; approximately 500 comments have been submitted to date.
- The agency is also moving ahead on Operable Unit 3 (groundwater) and the draft enforcement order for Remedial Investigation/Feasibility Study work is being reviewed by headquarters prior to transmittal to the Potentially Responsible Parties in anticipation of initiating negotiations.

Des Moines TCE Site (Des Moines, IA)

Key Message: Progress towards settlement and site transfer for redevelopment.

- Regional Administrator Jim Gulliford, Senior Advisor Kell Kelly, and Regional Counsel David Cozad met with Titan executives on March 1, 2018, at the Region 7 offices in Lenexa, Kansas.
- Titan indicated its desire to move toward a cash out settlement with the government and transfer the property to the city for redevelopment. EPA committed to sending Titan updated cost estimates for future work by March 15, 2018.

Superfund Job Training Initiative Graduation (Fredericktown, MO)

Key Message: Program graduates receive training and opportunities for environmental jobs.

- On March 5, 2018, in Fredericktown, MO, 24 residents from the area graduated from the EPA's Superfund Job Training Initiative (SuperJTI) program. SuperJTI is a national environmental remediation job readiness program that provides free training and employment opportunities for citizens living in communities affected by Superfund sites. The class is one of approximately 20 that have been conducted across the country since 2008.
- Representatives from Congressman Jason Smith's office and the Madison County Commissioner attended the graduation. The Madison County Health Department played a significant role in recruiting participants, planning, and carrying out course activities including the graduation.
- The SuperJTI graduates have the potential to fill available jobs with environmental contractors, including the team cleaning up lead contamination at the Madison County Mines Superfund Site in Fredericktown. Several graduates from the course indicated they have already received a call from the local cleanup contractor to start work. The health department and EPA's training contractor will continue supporting graduates, coordinating with local contractors, and tracking local graduates to document their employment successes.

Upcoming Major Decisions and Events:

None

Region 8

Hot Topics:

Region 8 Preparing to Take Action on Utah's 2016 303(d) List

By March 31, 2018, Region 8, in consultation with OWOW and OGC, is preparing to approve the majority of Utah's 2016 303(d) list including a listing of Utah Lake for harmful algal blooms (HABs), defer action on Utah's decision not to list Farmington Bay (of Great Salt Lake) for HABs and defer action on its decision not to assess Great Salt Lake (GSL) for mercury.

- Expected reactions: 1) UDWQ will support the above actions; 2) wastewater stakeholders likely will accept deferral on GSL and Farmington Bay as the preferred alternative over Agency over-listing of these waters for the State and will oppose approval of listing Utah Lake for HABs citing uncertainties in the State's scientific basis for listing; and 3) environmental stakeholders will likely accept deferral actions on GSL/Farmington Bay as a preferred alternative to approving the State's decision not to list and will support listing of Utah Lake for HABs.

Court Denies Sunnyside Gold Corporation's Challenge to EPA's Decision to add the Bonita Peak Mining District to the National Priorities List

Sunnyside Gold Corporation's (Sunnyside) petition for review of the decision to add the Bonita Peak Mining District (the Site) to the National Priorities List (NPL) was denied by the United States Court of Appeals for the District of Columbia Circuit Court on March 6, 2016. Thus, the Site will remain on the NPL.

Upcoming Major Decisions and Events:

Preparing to Approve the Southern Ute Indian Tribe's Treatment as a State (TAS) application for establishing water quality standards

The Southern Ute tribe, in southwest Colorado, has several existing delegations from EPA including the Title V program under the Clean Air Act. The TAS application went through a rigorous public comment process with no negative comments. Some industry commenters were concerned that the tribe could establish rigorous water quality standards that could impact their operations. That concern is outside the scope of the TAS application. In response to comments, we describe the separate public process required for establishment of Tribal water quality standards and EPA's role in the approval or disapproval of those standards.

Region 9

Hot Topics:

Drinking Water Compliance Assistance

- A. Airline Drinking Water: We're providing compliance assistance to Hawaii Island Air, and issuing a notice of non-compliance regarding SDWA Airline Drinking Water Rule violations. This is their first compliance reporting period and three of their six airplanes are out of compliance. Last year, we took a similar approach with Mesa Airlines, a regional carrier.
- B. Marine Corps Base Camp Pendleton: On March 20 and 21, we'll host an intensive two-day regulatory compliance course on all our environmental programs for over 125 DOD participants. This results from a SDWA consent order we issued last year, after finding unsanitary conditions and a lack of maintenance of the base's drinking water treatment system.

Torrance/PBF Refinery

The State of California issued a RCRA administrative enforcement action to address onsite waste storage, the subject of a similar citizen legal action (and outreach the EPA OIG) a few weeks ago. We continue our very focused oversight of this complex facility, will soon be meeting with company senior managers and bringing our CAA 112r issues to conclusion.

Upcoming Major Decisions and Events:

Red Hill: Next week, EPA managers will meet with the Navy, the Defense Logistics Agency, the Hawaii Dept. of Health and others in a public workshop regarding retrofit of these immense fuel storage tanks (known as the Red Hill Underground Fuel Storage Facility) in Honolulu. The Navy and DLA are operating under an EPA-Hawaii DOH issued administrative consent order.

NPL Listing: We worked closely with the Secretary of CalEPA, Matt Rodriquez, to prepare for a meeting with the Orange County Business Council, which opposes NPL listing of the Orange County North Basin site. Matt and I will then meet jointly with the council during the extended comment period, and continue working with the drinking water utility on the RI/FS and source characterization, which is underway. This site is on the Administrator's priority list.

National Honor Award nominations: We submitted 20 national honor award nominations to OARM, reflecting a variety of notable accomplishments by EPA teams and individuals over the past year.

Region 10

Hot Topics:

EPA Region 10 Assists Coast Guard with Alaska Oil Spill

On February 26th, a large storm event near Kodiak, Alaska caused the release of heavy fuel oil from a dilapidated fish processing facility in Port Williams on the remote island of Shuyak. The release is in the Coast Guard's area of responsibility and they deployed responders to address the situation. On March 6th, the USCG requested EPA assistance in evaluating the potential asbestos threat posed by the dilapidated and partially collapsed structure. EPA provided technical assistance to ensure a qualified asbestos contractor is supporting the operation and appropriate personal protective equipment is being used to protect the workers responding to the oil spill. The USCG is still evaluating next steps related to the former fish processor, tanks of oil within the collapsed structure, and the large amount of oil-contaminated debris. EPA will continue to monitor the situation and provide assistance as requested.

Upcoming Major Decisions and Events:

US Navy Begins Using Arctic Ice Camp Under Region 10 Issued Permit (AK)

The U.S. Navy notified Region 10 that they have selected and established a seasonal ice camp location approximately 150-200 miles offshore of Alaska in the Beaufort Sea and are proceeding with the ICEX 2018 program. The Navy will be conducting Arctic research and military exercises from this location for approximately the next six weeks, then will decommission the camp. Region 10 issued a NPDES permit modification for this facility in December 2017 to expand the area where the potential wastewater discharges may occur and address other minor changes associated with how the waste streams are managed at the camp. The change allowed the Navy flexibility to locate the camp on more stable multiyear ice and account for increased ice movement during the six-week operational period.

Region 10 TSCA Lead Renovation and Repair Outreach in Idaho and Alaska

Throughout mid-March, Region 10's Lead-based Paint Program will be providing technical assistance in and around Boise, Idaho and Fairbanks, Alaska. The Lead Team will visit local school districts, child care facilities, and the Boise and Fairbanks Building Permitting Offices. The team will also present at the Home Show in Fairbanks to increase awareness of the lead rules.

Region 10 States Receive \$491K for School Bus Diesel Retrofits

On March 8, the Office of Public Affairs announced \$8.7M nationwide in Diesel Emission Reduction Act grants for replacing or retrofitting 452 older diesel school buses in 141 school bus fleets. In Region 10, \$491,000 was awarded to clean up 27 older diesel school buses in nine Idaho, Oregon, Washington school districts. The new and retrofitted buses will reduce air pollutants linked to health problems such as asthma and lung damage.

Office of Administration and Resources Management

Hot Topics:

Tyson Foods and Tyson Poultry Administrative Agreement

On February 27, 2018, the EPA Suspension and Debarment Program negotiated and executed an administrative agreement with Tyson Poultry, Inc., the nation's largest chicken producer, and Tyson Foods, Inc., a federal contractor and the parent company of Tyson Poultry. After discharges at Tyson Poultry's slaughter and processing facility in Monett, Missouri led to a major fish kill event, the company was convicted of violating the Clean Water Act. The administrative agreement resolves any potential suspension or debarment action as well as Tyson Poultry's statutory exclusion that arose by operation of law as a collateral consequence of its Clean Water Act conviction. Under the agreement, the companies will implement and maintain operating procedures, compliance programs, and training programs to prevent recurrence of Clean Water Act violations. The agreement also requires the companies to engage an independent monitor to oversee the companies' compliance with the agreement. The agreement effectively ensures that the government's business interests are protected.

Upcoming Major Decisions and Events:

None

Office of Air and Radiation

Hot Topics:

- **Tracking SIP Actions:**
 - Total Number of SIPs submitted to Regions in FY 2018: 116
 - Total Number of SIP Submittals with Final Action taken by the Regions in FY 2018: 76
 - Total Number of Backlogged and Non-backlogged SIPs: 745
 - Backlogged: 400
 - Non-backlogged: 345
- **Upcoming Packages for the Administrator's Signature:**
 - Proposed Rule: National Emission Standards for Hazardous Air Pollutants and New Source Performance Standards for the Petroleum Refinery Sector: Technical Corrections – Proposed Rule
 - National Emission Standards for Hazardous Air Pollutants: Wet-Formed Fiberglass Mat Production Residual Risk and Technology Review – Proposed Rule
- **OAR Actions Under Review at OMB:**
 - Final Guidance on Significant Impact Levels for Ozone and Fine Particles in the Prevention of Significant Deterioration Permitting Program

Upcoming Major Decisions and Events:

- **Repeal of the Clean Power Plan (CPP):** The third and final of the listening sessions is March 27 in Gillette, Wyoming. The comment period closes April 26.
- **Business Council for Sustainable Energy (BCSE) Annual Clean Energy Forum (March 13).** Bill will be the luncheon keynote speaker at BCSE's Clean Energy Forum here in Washington, DC.
- **Association of Air Pollution Control Agencies (AAPCA) Board/Air Directors Call (March 15).** Bill will update AAPCA members on OAR's priorities.

Office of Chemical Safety and Pollution Prevention

IMPORTANT DEADLINES

Row	Determination Type	Pending on 3/6/2018	Determinations Completed ¹ as 3/6/2018	Determinations Posted on the Website as of 3/6/2018 ⁶
1	# of "not likely" determinations	1	116 ⁴	116 ⁴
2	# of §5(e) Orders signed by both EPA and the submitter	-	337	332
3	# of §5(e) Orders signed by EPA and awaiting submitter signature	39	-	-
4	# of non-Order SNURs/"not likely" determinations	0	0	0
5	# of cases in post-FOCUS final determination development ⁵	347 ^{3, 5}	-	-
6	# of cases flagged for in-depth review	46	-	-
7	# of PMNs, SNUNs and MCANs awaiting FOCUS (within 90-day review)	18	-	-
8	# of LVE/LOREX exemption grants	-	541	538
9	# of LVE/LOREX exemption denials	-	120	120
10	Total number of cases	451	1114	-
11	Normal active workload for the New Chemicals Program	300	-	-
12	Number of cases undergoing testing or data development by submitter	74 ³	-	-
13	Backlog²	77	-	-

¹"Determinations Completed" means that EPA has completed its reviews on these cases and that final determinations have been made by EPA under TSCA section 5(a)(3).

² (Total number of cases) – (Normal active workload for the New Chemicals Program) - (Number of cases undergoing testing or data development) = Backlog

³ Of these cases, approximately 73 are "active" lung toxicity cases that are suspended while submitters either conduct or are deciding whether to conduct testing to develop data on pchem properties, exposures and toxicity.

⁴ "Not Likely" determinations are not posted until the final signed determination document is prepared and has been shared with submitter.

⁵ These cases are those for which Post-FOCUS work is underway to develop: not likely determinations; non-Order SNURs coupled with not likely determinations; or section 5(e) or 5(f) Orders. When the OPPT Office Director decides which of these regulatory paths to follow, the case is moved to: Row 3 when the section 5(e) or 5(f) Order is sent to the submitter for signature; Row 4 when the SNUR is published and the not likely determination document is signed; and Row 1 when the determination document is sent to the OPPT OD for signature.

⁶ These are all only final determinations posted on the web: grants and denials

Hot Topics:

Draft Strategy to Reduce Animal Testing. On March 7, OCSPP announced release of a draft strategy to reduce the use of vertebrate animals in chemical testing for public comment. Under the amended Toxic Substance Control Act, EPA is required to develop a strategy to promote the development and implementation

of alternative test methods and strategies to reduce, refine or replace vertebrate animal testing by June 22, 2018. The draft document incorporates input from a November 2017 public meeting held on the development of the draft strategy, as well as written comments submitted after the meeting, and draws upon EPA research on test methods. This draft strategy will be available for comment for 45 days and a public meeting will be held on the draft strategy in Washington, DC on April 10, 2018.

Upcoming Major Decisions and Events:

Council of Producers and Distributors of Agrotechnology Meeting

The Council of Producers and Distributors of Agrotechnology (CPDA) will meet with the Office of Pesticide Programs on March 13. The Council's members primarily produce and sell adjuvants and inert ingredients. CPDA members have expressed an interest in talking about OPP priorities, registration review, pesticide inert ingredients, drift reduction technology, and proposed use of Globally Harmonized System language on pesticide labels.

Florida Fruit and Vegetable Association Spring Regulatory Tour

During the week of March 19, Acting Principal Deputy Assistant Administrator Charlotte Bertrand, along with OPP Office Director Rick Keigwin, and a group of staff from the Office of Pesticide Programs will participate in the Florida Fruit and Vegetable Association's Spring Regulatory Tour. The goals of the tour are to provide an overview of environmental regulatory issues important in south Florida; develop an awareness of the diversity of production practices, pest management and land use issues in the south Florida ecosystem; provide a perspective on the interrelationship of federal, state, regional and local regulatory processes; and serve as a forum for discussion with local pest management and land use decision makers on issues of topical interest.

Office of the Chief Financial Officer

Hot Topics:

- House and Senate Floor action may occur next week on the FY 2018 Appropriations Bill. While the schedule could change, we anticipate Congress will complete action in time for the President to sign the bill by March 23, when the current Continuing Resolution expires.
- Early next week OCFO will issue to agency leadership the *FY 2018 Guidance for Enterprise Risk-Based Decision Making at EPA* which outlines the process and criteria for the agency's strategic and internal controls reviews. OCFO will provide training to the appropriate parties on March 22.

Upcoming Major Decisions and Events:

- Once the FY 2018 is enacted into law, the agency will have 30 days to develop and submit an Operating Plan to Congress for approval, after OMB clearance. There will be policy choices involved in developing the Plan and OCFO will work with the COS, COO, Acting Deputy Administrator, and CFO on decisions.
- OMB has adjusted its plan to post on its Performance.gov website, which is available to the public, the final FY 2018-2019 Agency Priority Goal Action Plans and Quarter 1 results from March 15 to March 30. OMB has indicated it will have comments on the COO-reviewed and OPA-approved final draft submitted to OMB.
- OCFO is scheduling meetings in March and early April with the AAs in OLEM, OW, OAR, and OECA and all RAs and other senior leaders from those AAships to share E-Enterprise (EE) highlights and solicit insights into EE-related work, especially as it interfaces with the recently released EPA strategic plan.

Office of Congressional and Intergovernmental Relations

Hot Topics:

March 21- Hearing on: “Bureaucratic Challenges to Hurricane Recovery in Puerto Rico - House Oversight and Government Reform, Subcommittee on National Security (EPA witness: Pete Lopez, R2 RA).

Upcoming Major Decisions and Events:

- **March 10-11** - EPA hosting State Fly-In seeking input of policy, programmatic and technical delegations from states (AZ, MD, FL, NE, OR, PA, WY, AK).
- **March 11-14** - National League of Cities Conference.
- **March 13-14** - National Environmental Performance Partnership System Spring Meeting (held in 2530WJCN).
- **March 13** - EPA to meet with Wilmington, NC officials Mayor Bill Safo - per Sen. Burr to discuss EPA’s process for identifying public health concerns for emerging contaminants.
- **March 13** - Mayor Jeff Longwell and other local officials will meet with EPA to discuss WIFIA program.
- **March 14** - EPA to meet with Mayor Ramirez (Oxnard, CA) to discuss clean-up efforts for the Halaco Superfund site.
- **March 14** - EPA to meet with Weirton, WV Mayor Miller, OBLR staff, OIR and R3 to discuss efforts to revitalize acres of brownfields in the community
- **March 14** - SEPW and stakeholders briefing on TSCA new chemicals w/ OCSPP, OGC
- **March 19** - Rio Salado Federal Partners briefing in D.C. organized by ASU/Sen. McCain staff- OW will participate
- **March 20** - EPA to meet with Dodge City, KS local officials to discuss Biogas Project
- **March 22-** EPA to meet with City of Fort Dodge, IA Mayor Matt Bemrich and other officials to discuss the City’s 2018 Community- Wide Brownfields Assessment Grant application

Office of Enforcement and Compliance Assurance

Hot Topics:

Superfund Task Force - Stakeholder Engagement

On March 1, Veronica Darwin, along with managers from OECA's Office of Site Remediation Enforcement and OLEM's Office of Superfund Remediation and Technology Innovation, met with members of the Superfund Settlements Project (SSP), to obtain input on certain Superfund Task Force projects. The SSP, which includes representatives of Chevron, BP-Atlantic Richfield, United Technologies, DuPont, Chemours, General Motors, and W.R. Grace, provides a forum for dialogue regarding PRP concerns and interests without delving into site-specific issues. Discussion topics included: ideas for speeding up cleanup, including balancing adaptive management with clear deadlines/expectations; applying the "RCRA lean process" to CERCLA; and getting federal PRPs to participate early in cleanup. The SSP also asked for more information about the remedy selection process and how to be sure that all PRPs have an opportunity to be heard.

Orange County, California Man Pleads Guilty to Federal Charges Related to the Illegal Importation of Ozone-Depleting Refrigerant

On March 7, Mahmoud Alkabbani pled guilty in the Central District of California to conspiracy to defraud the United States and for violating the Clean Air Act by improperly selling R-22 to an undercover agent. Sentencing has been set for June 13, 2018. R-22, sometimes known as HCFC-22, is a refrigerant gas and class II ozone-depleting substance. Alkabbani entered into an agreement with a Chinese company to purchase thousands of canisters of R-22, which was packaged in cylinders bearing counterfeit "Glacier" trademarks. The 2013 contract with the Chinese company listed the product as R-134a, a legally obtainable, non-ozone depleting refrigerant. However, a second, secret agreement called for the Chinese company to actually sell R-22 to Alkabbani. During a port inspection, investigators discovered a total of 2,300 thirty-gallon cylinders of R-22 that were concealed inside individual cardboard boxes that bore markings indicating the contents were R-134a. Alkabbani later offered R-22 for sale on eBay and made an agreement to sell cylinders to an undercover agent.

Owner of California Pet Products Company Sentenced for Selling Pet Medications without Prescriptions

On March 5, Sean Gerson, the owner of Vaccination Services, was sentenced in the Central District of California to serve 30 months of incarceration, ordered to pay a \$200,000 fine, and forfeit \$2,500,000 in ill-gotten gains. Vaccination Service was sentenced to serve five years of probation and ordered to pay a \$300,000 fine. Gerson pleaded guilty to smuggling, introduction into interstate commerce misbranded animal prescription drugs with the intent to defraud and mislead the FDA, and a pesticide violation. Vaccination Services pleaded guilty to similar charges. Gerson used several websites to market prescription animal products, such as Comfortis, an anti-flea medication, and Ciprofloxacin, a powerful antibiotic (some of which were not approved for use in the United States) to buyers without valid prescriptions. Gerson was previously convicted of similar state-level charges in Texas in 2014.

U.S. Army Meeting on Regulatory Enforcement and Superfund

OECA's Federal Facilities Enforcement Office and OLEM met with the Deputy Assistant Secretary of the Army for Environment, Safety and Occupational Health on regulatory enforcement and Superfund issues.

Upcoming Major Decisions and Events:

On March 16, OECA AA Susan Bodine will join the Association of Clean Water Administrators' Permitting and Compliance Committee call to discuss compliance tools, NPDES eReporting, national enforcement initiatives, and collaboration with states.

Office of Environmental Information

Hot Topics:

None to report

Upcoming Major Decisions and Events:

None to report

Office of General Counsel

Hot Topics:

- *In Re United States of America*, No. 17-71692 (9th Cir.). New development: On Mar. 7, a panel of the 9th Circuit Court of Appeals denied without prejudice the United States' petition for mandamus, which sought dismissal of district court proceedings in *Juliana, et al. v. US*, 6:15-cv-01517 (D. Ore.). The 9th Circuit panel held that at this point in the litigation, the United States had failed to demonstrate that mandamus was appropriate, based on the five-factor analysis set forth in *Bauman v. U.S. Dist. Ct.*, 557 F.2d 650 (9th Cir. 1977). In sum, the panel concluded that relief was not appropriate at this time since the United States would have several opportunities at the district court to limit the burdens of discovery; the panel also noted that the United States had not yet attempted to seek any relief from discovery from the district court before seeking mandamus.
- *Public Citizen, Inc. v. Trump*, No. 17-253 (RDM) (D.D.C.). New development: On Mar. 1, 2018, the court supplemented its decision to dismiss, for lack of standing, a challenge to Executive Order 13771 and OMB's implementing guidance. Having granted the government's motion to dismiss on February 26, the court gave plaintiffs permission during a March 1 conference to seek leave to amend their complaint and present new facts to try to correct the standing flaws. Plaintiffs' motion to amend their complaint is due on April 2.
- *Sunnyside Gold Corp. v. EPA*, No. 16-1417 (D.C. Cir.) (Gold King Mine related). New development: On March 6, 2018, the court upheld EPA's September 2016 final rule placing the Bonita Peak Mining District (BPMD) site on the National Priorities List. The court held that the Agency properly followed its regulations in the Hazard Ranking System when it included identified mining sources, such as the Sunnyside Mine, within the scope of the BPMD site. Sunnyside Gold Corp. has 45 days, or until April 20, 2018, to file a petition for rehearing or rehearing en banc, which would require a showing that this proceeding is a matter of exceptional importance or conflicts with another opinion of the court of appeals or the U.S. Supreme Court.
- *API v. EPA*, No. 09-1038 (D.C. Cir.). New development: On March 6, 2018, the court issued a decision in response to petitions for rehearing following its 2017 decision on EPA's 2015 RCRA definition of solid waste rule, clarifying the following: (1) the 2015 version of factor 4 of the legitimacy test, which required, in part, a comparison of hazardous constituents between recycled products and legitimate analogues, is vacated in its entirety and wholly replaced by the now-reinstated 2008 version of factor 4; and (2) spent petroleum catalysts are no longer barred from recycling by third parties.
- *American Oversight v. EPA*, No. 17cv2599 (D.D.C.). New development: On March 2018, the plaintiff amended its pending FOIA lawsuit. The original complaint challenged EPA's failure to respond to a FOIA request which sought records of renovation expenditures for Presidentially Appointed Senate-Approved offices and related communications. The amended complaint adds two FOIA requests to the litigation to which American Oversight alleges EPA also failed to respond: (1) records related to a contract with Edwin Steinmetz Associates for security sweeping of the Administrator's Office and to a contract for the installation of biometric locks in the Administrator's Office; and (2) records of reimbursements for expenses paid with personal credit cards or government purchase cards of individuals in the Administrator's Office.

Upcoming Major Decisions and Events:

- 3/22 Oral Argument in *Natural Resources Defense Council, et al. v. EPA*, petition for review challenging EPA's definition of "natural event" in the 2016 Exceptional Events Rule.

Office of International and Tribal Affairs

Hot Topics:

WOTUS Tribal Consultations

OW hosted the “Waters of the United States” Step 2 Rulemaking: Tribal Co-Regulators Meeting on March 6 and 7. Assistant Administrator David Ross welcomed the tribal participants to the meetings and was present on both days. Approximately 25 tribal representatives attended and discussed the tribal perspectives on water and impacts of the rule for waters located within Indian country.

Border Counties Roundtable

OITA attended the National Association of Counties (NACO) Border Counties RoundTable meeting. The roundtable brought together county officials from jurisdictions along the northern and southern U.S. borders and representatives of federal agencies for a discussion on the operational challenges faced by border counties.

Upcoming Major Decisions and Events:

International Boundary and Water Commission (IBWC)

The U.S. Commissioner to the IBWC, Edward Drusina, will met with Acting Deputy Administrator Mike Flynn, Ken Wagner, and Sarah Greenwalt on March 13 to discuss wastewater and sanitation issues on the U.S.-Mexico border, including Tijuana.

World Bank Global Practice Meeting

OITA Principal Deputy Assistant Administrator will speak to the World Bank on March 13 to discuss EPA’s international activities on sustainable ports and shipping, including the U.S.-China Green Ports and Vessels Initiative and projects in North America through the Commission for Environmental Cooperation (CEC).

Office of Land and Emergency Management

Hot Topics:

Coal Combustion Residuals (CCR)

- State permit programs. The public comment period for Oklahoma's proposed program approval is extended to March 19. This is the first State CCR Permit Program to be proposed for approval. Approximately 20 other states have expressed an interest in developing an application for a CCR State Permit Program.
- Remand rule. On March 1, the Administrator signed Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals for Electric Utilities; Amendments to the National Minimum Criteria (Phase One) Proposed Rule. The public comment period will be 45 days and a public hearing is being scheduled.

Clean Air Act 112(r) Risk Management Program (RMP) Reconsideration NPRM.

- We anticipate it going to OMB shortly.

Ongoing major Superfund NPL sites (including East Chicago, West Lake, Bonita Peak, Hudson River, Portland Harbor, Mississippi Phosphates, Oak Ridge, Edwards AFB)

- We are working with OECA and Region 9 regarding a dispute at Edwards Air Force Base.

CERCLA 108(b) Financial Assurance

- Other Three Sectors. We are working with OGC and the AO on the analysis plan.

CERCLA-EPCRA AFO-CAFO Rule

- The draft rule notice went to OMB on March 6, and EPA expects review to conclude by March 16.

Aerosol Cans Rule

- The Administrator signed the Aerosol Can Universal Waste Proposal, to increase recycling and reduce costs by adding aerosol cans to the wastes managed under the streamlined "universal waste" requirements.

PFOA and PFAS

- We are conferring with ORD and OW, considering a joint memo.

Upcoming Major Decisions and Events:

LEAN Kaizen Events

The Superfund Sites Ready for Anticipated Use event took place this week.

OLEM Business Process Review

Today we had our third monthly review.

Emergency Response: Headquarters Senior Leader On-Boarding

The first session was held yesterday and a second session is scheduled for March 21. We are also scheduling special sessions as needed by specific offices.

Inter-Agency National Level Exercise 2018

We are preparing for EPA participation in this year's exercise, including its component for Continuity of Operations (COOP). This will involve Agency senior leaders, especially on May 7 for deployment for COOP activation.

Office of Policy

Upcoming Major Decisions and Events:

Spring Regulatory Agenda

On March 2, we submitted 183 entries for the Spring 2018 Semiannual Agenda to OMB. We anticipate publication in early May.

Engagement with Smart Sector Partners

March 6-8: Smart Sectors staff traveled to Tampa, FL for a multi-sector dialogue focusing on agriculture, mining, chemicals, and ports.

Presentations by OP's Office of Sustainable Communities (OSC) in support of rural revitalization and resiliency

- March 7-8: OSC Director Matt Dalbey presented to the Illinois Institute for Rural Affairs on the future of economic revitalization in rural America.
- March 14: Matt Dalbey will speak at the University of Virginia on the Healthy Places for Healthy People, Local Foods, Local Places, and Cool & Connected programs.
- March 14: OSC's Abby Hall will lead a federal panel on disaster resilience at the EPA National Estuary Program National workshop.
- March 15: Abby Hall will lead a panel at the FEMA National Hazard Mitigation workshop. Panelists will discuss tools to link hazard mitigation with long-term planning and resilience.

New NEJAC Membership

On March 7, EPA Administrator announced the appointment of eight new members selected for terms on the National Environmental Justice Advisory Council (NEJAC). EPA also announced a request for nominations to fill four vacant positions on the NEJAC.

Number of Actions to OFR this Year:

- Signed by Regions:
 - Notices: 11
 - Proposed Rules: 39
 - Direct Final Rules: 4
 - Withdrawal of Proposed Rule: 1
 - Withdrawal of Direct Final: 3
 - Final Rules: 35
- Signed by HQ:
 - Notices: 76
 - Proposed Rules: 12
 - Withdrawal of Direct Final: 1
 - Final Rules: 31

Number of Actions to OFR this Week (Mar 2 – Mar 8):

- Signed by Regions:
 - Notices: 0
 - Proposed Rules: 6
 - Direct Final Rules: 0
 - Withdrawal of Proposed Rule: 0
 - Withdrawal of Direct Final: 0
 - Final Rules: 4
- Signed by HQ:
 - Notices: 6
 - Proposed Rules: 2

- Withdrawal of Direct Final: 0
- Final Rules: 1

Documents Submitted to OFR from February 29 - March 6, 2018

FRL	Title	Date Submitted to OFR
9975-18-OW	Charter Renewal	3/6/2018
9972-86-OCSP	Pesticide Experimental Use Permit; Receipt of Application; Comment Request	3/6/2018
9974-91-OCSP	Certain New Chemicals or Significant New Uses; Statements of Findings for December 2017	3/6/2018
9975-31-OAR	Notice of Proposed Withdrawal of the Control Techniques Guidelines for the Oil and Natural Gas Industry	3/6/2018
9972-96-OCSP	Kasugamycin; Pesticide Tolerances	3/2/2018
9974-35-Region 10	Washington: Authorization of State Hazardous Waste Management Program Revisions	3/1/2018
9974-09-OCSP	Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations and Amend Registrations to Terminate Certain Uses	3/1/2018
9973-44-OCSP	Fluopicolide; Pesticide Tolerances	3/1/2018
9973-39-OCSP	Lipochitooligosaccharide (LCO) SP104; Exemption from the Requirement of a Tolerance	3/1/2018
9973-27-OCSP	Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities	3/1/2018
9973-26-OCSP	Pesticide Product Registration; Receipt of Applications for New Active Ingredients	3/1/2018
9973-25-OCSP	Pesticide Product Registration; Receipt of Applications for New Uses	3/1/2018
9975-06-OA	Notice of Meeting of the EPA Children's Health Protection Advisory Committee (CHPAC)	3/1/2018
9975-19-OAR	Protection of Stratospheric Ozone: Revision to References for Refrigeration and Air Conditioning Sector to Incorporate Latest Edition of Certain Industry, Consensus-based Standards	3/1/2018
9974-96-Region 1	Air Plan Approval; Massachusetts; Logan Airport Parking Freeze	3/1/2018

Office of Research and Development

Hot Topics:

Water infrastructure for improvements to the Nation (WIIN) Act Notification for Galesburg, Illinois

On March 5, EPA's Region 5 laboratory sent ORD sequential drinking water samples from Galesburg, collected in February. One of the samples showed lead levels above 15ppb, triggering notifications under the WIIN Act. On March 2, ORD sent emails to the City of Galesburg, IL, EPA, and Region 5 to notify them of the high lead levels and inform them that they need to comply with the WIIN Act and share these results with residents immediately. These notifications were also forwarded to OW for informational, documenting and record keeping purposes.

Upcoming Major Decisions and Events:

Next week I will travel to San Antonio, Texas to attend the Society of Toxicology Meeting. Richard Yamada and I will also visit EPA Region 6, where we will meet with RA Anne Idsal, DRA David Gray and Region 6 Senior Staff and view presentations of on-going RARE and RESES projects. Richard will also meet with Region 8 DRA Deborah Thomas and Patrick Davis, Senior Advisor to the RA for Public Engagement, in Denver and tour the National Enforcement Investigations Center (NEIC).

Wildland Fire Research Presented at North Carolina Breathe Conference

Today, ORD is participating in the North Carolina Breathe Conference, which will feature several sessions on ORD research addressing public health threats posed by wildland fires and their emissions, as well as tool and prevention strategies that people can use to minimize their risks. The event provides a forum for people in NC to share the latest research related to impacts of air pollution on human health, the environment, and the economy. ORD's Wayne Cascio will deliver a plenary address to share the latest ORD research in this area.

PFAS Engagement with States and Regional Partners

On March 9, the assessment teams for the PFAS: PFBS (ORD) and Gen X (OW) will provide information to States and federal partners on problem formulation and the available toxicity literature for these two assessments that are scheduled for completion this summer.

Society of Toxicology Annual Meeting

On March 11-15, ORD scientists will participate in the Society of Toxicology (SOT) Annual meeting and ToxExpo in San Antonio, TX. SOT provides a forum to discuss and disseminate information about research to the scientific community. Advances in EPA's toxicology, chemical exposure, and other research will be featured at SOT. Special sessions hosted or co-hosted by ORD will highlight ORD collaborations and research, and several ORD scientists will receive much deserved awards at SOT.

Small Business Innovation Research (SBIR) Phase II Awards

ORD is working with OPA to announce the six SBIR Phase II contracts on March 12. These contracts were awarded to small businesses to support technology commercialization in the areas of wastewater treatment, homeland security, and cookstoves. Recipients are receiving up to \$300,000 to fund 2-year projects as they work to bring their environmental technologies to the marketplace.

Tire Crumb Study Update Presented at the Synthetic Turf Council Annual Meeting

On March 13, ORD will present at the 2018 Spring meeting of the Synthetic Turf Council. ORD will provide an update on the Federal Research Action Plan on Recycled Tire Crumb Used on Playing Fields and Playgrounds, currently being implemented by ORD, CDC, ATSDR, and CPSC.

Office of Water

Hot Topics:

Ohio 303(d) List Litigation

On March 6, 2018, Judge Carr from the U.S. District Court of the Northern District of Ohio held a hearing in Environmental Law and Policy Center, et al., v U.S. EPA, the challenge to EPA's approval of Ohio's 2016 303(d) list. The hearing focused on EPA's January 12, 2018 letter withdrawing EPA's approval of Ohio's list as it related to nutrients and Ohio's open waters of Lake Erie. Based on the hearing, and further communication from the court on March 7th, EPA and DOJ expect the court to issue an order within a week ordering EPA to take further action on Ohio's list.

EPA Rule to Establish Aluminum Criteria for Oregon

On March 1, the U.S. District Court for the District of Oregon granted EPA's request to extend the deadlines for signature on the proposed and final rules by one year to March 15, 2019 and March 27, 2020, respectively.

Alabama Water Quality Standards Petition

As early as next week, I anticipate taking action on a petition submitted by David Ludder in February 2017, on behalf of eight environmental organizations, requesting that EPA promulgate new or revised water quality standards for the State of Alabama.

WOTUS

This week, EPA and the Army hosted two, two-day workshops with co-regulators to seek further input on the Step 2 proposal. On March 6-7, the agencies met with over 20 tribal representatives. On March 8-9, the agencies met with delegations from nine states, including commissioners, water directors, and two secretaries of agriculture.

Lead and Copper Rule Federalism Consultation

The comment period for EPA's enhanced Federalism consultation with state and local governments closed March 8. Input received during the consultation period will be considered in the development of the proposed rule and cost/benefit analysis.

Upcoming Major Decisions and Events:

National League of Cities

This Sunday, Lee will join Kell in a presentation to the NLC Energy, Environment, and Natural Resources Committee. Lee will speak to OW's 2018 priorities, with an emphasis on EPA's water infrastructure support. This meeting is open to the press.

Interstate Council on Water Policy and Western States Water Council (ICWP-WSWC)

Next week, Lee and I will at present the ICWP-WSWC Washington Roundtable. Lee will serve on the "Infrastructure: Past, Present, Future" panel and I will provide the keynote address. This event is open to the press. Benita will then represent OW at the WSWC-Western States Federal Agency Support Team (WestFAST) Principals Meeting, occurring in conjunction with the Washington Roundtable.

National Estuary Program Training Workshop

Next week, Benita will speak at the National Estuary Program (NEP) National Training Workshop on the agency's water priorities for 2018 and discuss how the estuary programs can play a role in advancing EPA's priorities. This meeting is closed to the press.

2018 Association of State Drinking Water Administrators (ASDWA) Member Meeting

Next week, Lee and Peter Grevatt will present and participate in facilitated discussions with states during the 2018 ASDWA Member meeting. Portions of this meeting are open to the press.